

TO: Honorable Mayor James E. Dyer - City of Danbury, Connecticut

SUBJECT: Minutes of the Special Meeting of the Common Council held on March 14, 1985.

The Meeting was called to order at 8:30 O'Clock P.M. by the Honorable Mayor James E. Dyer who led the assembly in the Pledge of Allegiance to the Flag.

The Prayer was offered by Councilman Bernard Gallo.

A Moment of silence was observed in memory of Paul Shea.

Roll Call was taken by the City Clerk, Elizabeth Crudginton, with the following members being recorded as:

PRESENT: Council Members - Johnson, Foti, Torcaso, Esposito, Godfrey, Flanagan, Zotos, Skoff, McManus, DaSilva, Gallo, Cassano, Charles, Boynton, Butera, Durkin, Eriquez, Torian.

ABSENT: Council Members Sollose and Chianese.

19 Members Present -- 2 Members absent.

It was reported that Councilman Sollose was out of town and Councilman Chianese had a previous engagement.

NOTICE OF SPECIAL MEETING - To be held on the 14th day of March, 1985 at 8:30 O'Clock P.M. in the Council Chambers at City Hall, for the purpose of acting upon the following:

01 - REPORT & ORDINANCE - An Ordinance Appropriating \$4,800,000 for the acquisition of the C. D. Parks Property and authorizing the issue of \$4,800,000 Bonds of the City to meet said appropriation and pending the issue thereof the making of temporary borrowings for such purpose.

02 - RESOLUTION - Providing for Special City Meeting, for above Ordinance.

03 - RESOLUTION - Balmforth Avenue/Maple Avenue
Franklin Street/Osborne Street
Road Projects.

04 - COMMUNICATION - Appointment of a City Treasurer.

RETURN OF SERVICE - Notices delivered and served by Police Officers of the City of Danbury.

A motion was made by Councilman DaSilva and seconded by Councilman Boynton for the Call and Return of Service to be accepted.
Motion carried unanimously.

01 - REPORT - Ordinance for purchase of C. D. Parks Property.

Common Council President C. McManus submitted a report stating that the Common Council held a public hearing for the proposed Ordinance on March 7, 1985 at 7:30 P.M. in the Council Chambers at City Hall.

The Council met as a committee of the whole at 8:20 P.M. and unanimously voted to recommend to the Common Council that the Ordinance be sent to referendum.

A motion was made by Councilman Gallo and seconded by Councilman Foti for the Report to be accepted. Motion carried unanimously.

01 - City Clerk Elizabeth Crudginton introduced and read the following Ordinance:

AN ORDINANCE APPROPRIATING \$4,800,000 FOR THE ACQUISITION OF THE C.D. PARKS PROPERTY AND AUTHORIZING THE ISSUE OF \$4,800,000 BONDS OF THE CITY TO MEET SAID APPROPRIATION AND PENDING THE ISSUE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF DANBURY:

Section 1. The sum of \$4,800,000 is appropriated for the acquisition of real property, containing approximately five hundred and thirty (530) acres, more or less, together with buildings, improvements, fixtures and appurtenances thereon, located in the westerly portion of Danbury, Connecticut, and generally situated on Southern Boulevard, Old Farm Road, Tarrywile Lake Road, easterly and westerly sides of Brushy Hill Road and the westerly side of Mountainville Avenue, and known as the C.D. Parks Property, from the C.D. Parks Company, and for legal, administrative and printing costs related thereto.

Section 2. To meet said appropriation \$4,800,000 bonds of the City, or so much thereof as shall be necessary for such purpose, shall be issued, in one or more series, maturing from not later than the second to not later than the twentieth year after their date in annual installments of principal and interest which shall be substantially equal or shall be so arranged that no principal installment payable in any year shall be less than the amount of any installment payable in any subsequent year, bearing interest payable semiannually. The bonds shall be designated "City of Danbury General Public Improvement Bonds", be issued in bearer form with interest coupons attached, or in fully registered form, be in denominations of \$1,000 or a whole multiple thereof, be dated as of the first or fifteenth day of the calendar month in which they are issued or as of the first or fifteenth day of a calendar month within the three calendar month period next prior thereto, be payable both principal and interest at a bank or trust company designated by the Mayor, be signed in the name and on behalf of the City by the facsimile or manual signatures of the Mayor, the City Clerk and the City Treasurer, bear the facsimile of the City seal, be certified by a bank or trust company designated by the Mayor pursuant to Section 7-373 of the General Statutes of Connecticut, as amended, and be approved as to their legality by Messrs. Robinson & Cole, Attorneys-at-Law, of Hartford. They shall bear such rate or rates of interest as shall be determined by the Mayor upon the receipt of bids for the purchase thereof, and the interest coupons attached, if any, shall bear the facsimile signature of the City Treasurer. The bonds shall be general obligations of the City and each of the bonds shall recite that every requirement of law relating to its issue has been duly complied with, that such bond is within every debt and other limit prescribed by law, and that the full faith and credit of the City are pledged to the payment of the principal and interest thereof. The aggregate principal amount of the bonds to be issued, the annual installments of principal, the designation of the registrar and transfer agent, the date, time of issue and sale and other particulars thereof shall be determined by the Common Council.

Section 3. Said bonds shall be sold by the Mayor at public sale upon sealed proposals at not less than par and accrued interest on the basis of the lowest net interest cost to the City. A notice of sale describing the bonds and setting forth the terms and conditions of the sale shall be published at least seven days in advance of the sale in a recognized publication carrying municipal bond notices and devoted primarily to financial news and the subject of state and municipal bonds. Any premium received upon the sale of said bonds, less the cost of preparing, issuing and marketing them, shall be applied to the payment of the principal of the first of said bonds to mature and contributions from other sources for the payment of such bonds shall be reduced accordingly.

Section 4. The City Treasurer is authorized to make temporary borrowings in anticipation of the receipt of the proceeds of said bonds. Notes evidencing such borrowings shall be payable at a bank or trust company designated by the City Treasurer, be signed by the Mayor, City Clerk and City Treasurer, have the seal of the City affixed, be certified by a bank or trust company designated by the City Treasurer pursuant to Section 7-373 of the General Statutes of Connecticut, as amended, and be approved as to their legality by Messrs. Robinson & Cole, Attorneys-at-Law, of Hartford. They shall be issued with maturity dates not more than two years from the date of issue, but notes issued with shorter maturities may be renewed from time to time by the issue of other notes provided the period from the date of issue of the original note or notes to the date of maturity of the last renewal note or notes shall not be more than two years or, subject to the provisions of Section 7-378a of the General Statutes of Connecticut, as amended, not more than four years. The notes shall be general obligations of the City and each of the notes shall recite that every requirement of law relating to its issue has been duly complied with, that such note is within every debt and other limit prescribed by law, and that the full faith and credit of the City are pledged to the payment of the principal thereof and the interest thereon. The interest on such notes, including renewals thereof, and the expense of preparing, issuing and marketing them, to the extent paid from the proceeds of such renewals or said bonds, shall be included as a cost of the project. Upon the sale of said bonds the proceeds thereof, to the extent required, shall be applied forthwith to the payment of the principal of and the interest on said notes or shall be deposited with a bank or trust company in trust for such purpose.

Section 5. This ordinance shall become effective upon its approval at a Special City Meeting called for such purpose, pursuant to the revised Charter of the City of Danbury.

Councilman Bernard Gallo moved that said Ordinance be adopted as introduced and read, and the motion was seconded by Councilwoman Constance McManus. Motion carried.

The Ordinance was adopted unanimously.

Councilwoman McManus asked if a stipulation could be added .

Assistant Corporation Counsel E. Gottschalk responded that Bond Counsel would be against any additional language to the Ordinance.

02 - RESOLUTION PROVIDING FOR SPECIAL CITY MEETING.

A motion was made by Councilman Boynton and seconded by D. Charles, for the Special City Meeting to be held on May 7, 1985.

The motion failed by a vote of 12 Nays and 7 Ayes.

Members voting in favor of the May 7th date were: DaSilva, Gallo, Cassano, Charles, Boynton, Butera, and Torian.

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A motion was then made by Councilman Flanagan and seconded by Councilman Foti for the Special City Meeting to be held on the 30th day of April, 1985 from 6:00 A.M. to 8:00 P.M.

Motion carried by a vote of 14 Ayes and 5 Nays.

Council Members - Johnson, Foti, Torcaso, Esposito, Godfrey, Flanagan, Zotos, Skoff, McManus, DaSilva, Durkin, Eriquez, Farah, Torian, voted Aye (14 votes)

Council Members - Gallo, Cassano, Charles, Boynton, Butera voted Nay. (5 Votes)

RESOLUTION - PROVIDING FOR SPECIAL CITY MEETING.

RESOLVED: That the Ordinance entitled "An Ordinance Appropriating \$4,800,000 For The Acquisition Of The C.D. Parks Property And Authorizing The Issue Of \$4,800,000 Bonds Of The City To Meet Said Appropriation And Pending The Issue Thereof The Making Of Temporary Borrowings For Such Purpose" be submitted for approval or disapproval at a Special City Meeting to be called by the Mayor pursuant to Section 7-10(a) of the Revised City Charter and held April 30, 1985, between the hours of 6:00 O'Clock A.M. and 8:00 O'Clock P.M. (E.S.T.), that the Warning of said Special City Meeting state the question to be voted on as follows:

"Shall the ordinance entitled 'An Ordinance Appropriating \$4,800,000 For The Acquisition Of The C. D. Parks Property And Authorizing The Issue Of \$4,800,000 Bonds Of The City To Meet Said Appropriation And Pending The Issue Thereof The Making Of Temporary Borrowings For Such Purpose,' adopted by the Common Council, March 14, 1985, be approved?"

The designation of said question on the ballot label shall read as follows: "For approval \$4,800,000 Bond Ordinance For The Acquisition Of The C. D. Parks Property. YES No," and that the Warning of said Special City Meeting state that the full text of said Ordinance is on file open to public inspection at the Office of the Town Clerk.

A motion was made by Councilman Flanagan and seconded by Councilman Foti for the Resolution to be adopted as amended.

The Resolution was adopted by a vote of 14 Ayes - 5 Nays.

Council Members - Johnson, Foti, Torcaso, Esposito, Godfrey, Flanagan, Zotos, Skoff, McManus, DaSilva, Durkin, Eriquez, Farah and Torian voted Aye. (14 Votes)

Council Members - Gallo, Cassano, Charles, Boynton, Butera, voted Nay (5 votes) - 2 members were absent.

03 - RESOLUTION - Balmforth Avenue/Maple Avenue - Franklin Street/Osborne Street Road Projects.

WHEREAS, the Common Council has duly voted to approve the Balmforth Avenue/Maple Avenue and Franklin Street/Osborne Street Road Improvement Projects; and

WHEREAS, the purposes of said projects oblige the City of Danbury to acquire interest in and to real property as hereinafter set forth; and

WHEREAS, eminent domain proceedings will be necessary if the City of Danbury cannot agree with the several owners hereinafter named upon the amount, if any, to be paid for the respective interests of each to be taken in, and to, the real property as hereinafter set forth;

NOW, THEREFORE, BE IT RESOLVED THAT THE Corporation Counsel of the City of Danbury is hereby authorized to acquire the property interests as hereinafter set forth either by negotiation or by eminent domain through the institution of suits against the following named property owners, their successors and assigns and their respective mortgage holders and encumbrances, if any, the affected properties being indicated by Tax Assessor's lot numbers.

1. I 12072 - 86 Balmforth Ave., Cheney, Lizzie & Willie
2. I 12073 - 84-84½ Balmforth Ave., Spano, Rose T. & Mary Rose
3. I 12074 - 82 Balmforth Ave., Trocolla, Michael
4. I 12083 - 33½ Patch St., Taylor, Ben & Mazie
5. H 12233 - 30-32 North St. & 90-92 Balmforth Ave., Carvalho, Norman & Dorothy
6. I 12071 - 88 Balmforth Ave., Carvalho, Norman & Dorothy L.
7. I 12027 - 95 Balmforth Ave., Mitchell, Norbert E.
8. I 12032 - 83-85 Balmforth Ave. & Rowan St., Bruce's Flowers, Inc.
9. I 12002 - 39-43 North St., Deep, John N.
10. I 12075 - 78 Balmforth Ave., Miller, Robert T. & John Peter
11. I 12076 - 76 Balmforth Ave., Miller, Robert T. & John Peter
12. I 12080 - 35 Patch St., Miller, John & Juliann
13. I 13135 - 21 Balmforth Ave., DaSilva, Joseph & Augusta
14. I 13075 - 4 Union Ave., DaSilva, Joseph
15. I 13073 - 37 Maple Ave., DaSilva Sons, Inc.
16. I 13074 - 39-41 Maple Ave., DaSilva, Joseph & Maria
17. I 13022 - 42 Maple Ave., DaSilva, Joseph & Maria
18. I 13107 - 24 Balmforth Ave., Williams, Janet Ehle, & Ehle, Randall F. Jr.
19. I 13023 - 28-40 Maple Ave., Hibbard, Harold J. & Judith R.
20. I 13108 - 22 Balmforth Ave., Vidinha, Diniz Medeiros & Vidinha, Maria do Espirito Santa
21. I 13138 - 1 Osborne St., Rousseau, Gilles I. & Teresa B.
22. H 13301 - 355 Main St., The Goos Realty Co.
23. H 13303 - 8 East Franklin St., The Goos Realty Co.
24. I 13019 - Main St., The Goos Realty Co.
25. H 13302 - 357 Main St., Comanda, Anthony & Jeannette M.
26. H 13267 - 360 Main St., Osborne-Main Realty Corporation
27. I 12087 - 86 Maple Ave., Oldfield, Douglas Alan & Sharon Lee
28. I 13015 - 46 Maple Ave., Urban, Harold K.
29. I 13020 - 46½ Maple Ave., Urban Harold K.

Councilman Boynton asked if the list has changed.

Councilman DaSilva said there were minor changes from Public Works Committee.

A motion was made by Councilman DaSilva and seconded by Councilman Charles for the Resolution to be adopted.

The Resolution was adopted unanimously.

04 - COMMUNICATION - Appointment of a City Treasurer.

The Democratic Town Committee at a meeting held on Wednesday, March 13, 1985 voted to recommend Mr. Thomas R. Green, Juniper Ridge Drive, Danbury to fill the vacancy as City Treasurer.

The Town Committee is confident that Tom Green will make an excellent addition to the Administration.

THOMAS R. GREEN: Age 43, Danbury Native, Graduate of St. Peter School, Fairfield Prep, Fairfield University, and The American Academy of Funeral Service.

Licensed Funeral Director, President of the Green Funeral Home, Inc. Residence: Juniper Ridge Drive, Danbury.

Married: To the former Mary Long - Three daughters.

Member of St. Peter Church, Danbury, Past President of St. Peter Home School Association, Former Member of St. Peter Parish Council.

A Member of the Ancient Order of Hibernians, Kiwanis Club and the Danbury Club. A corporator of The Union Savings Bank of Danbury.

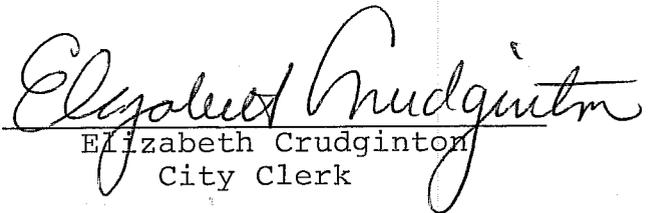
A former member and past chairman of the Danbury Planning Commission. Memorial Chairman for the American Cancer Society, and a member of the Board of Directors of the Western Connecticut Regional Hospice.

A motion was made by Councilwoman McManus and seconded by Councilman Gallo for the Communication to be accepted and appointment by the Common Council confirmed. Motion carried unanimously.

There being no public speakers and no further business to come before the Common Council, a motion was made by Councilman DaSilva and seconded by Councilman Foti for the meeting to be adjourned at 9:17 O'Clock P.M.

Respectfully submitted


Mary Rickert
Assistant City Clerk

Attest: 
Elizabeth Crudginton
City Clerk